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Rule 2-2. Motion For Rule On Clerk.

(a) Record tendered late. Where a record is tendered which, on its face, appears to be outside the time allotted for docketing the case, it shall be the duty of the Clerk to notify the attorney representing the appellant and note on the record the date the tender was made.

(b) Docketing for purpose of presenting request for rule ? Service of motion. If the appellant contends that the Clerk is in error in refusing to file the record, then upon payment of the regular filing fee, the case shall be tentatively docketed and numbered. The appellant shall then file a motion in accordance with Rule 2-1 to require the Clerk to docket the case as an appeal. A copy of the motion shall be served by the appellant upon opposing counsel, and evidence of service shall be furnished to the Clerk with the motion at the time of filing.

(c) Procedure when rule granted. If the motion is granted, the case shall proceed in the regular manner for appeals without payment of any additional fee.

(d) Procedure when rule denied. If the motion is denied, the case shall be stricken from the docket, the jurisdiction of the Court terminated, and the filing fee forfeited.

Associated Court Rules:

Rules of the Supreme Court and Court of Appeals of the State of Arkansas

Group Title:

Article II. Petitions and Motions

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